

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dave S. B. HOON et al.

Serial No: 10/713,808

Confirmation No.: 4483

Filed: November 14, 2003

For: DETECTION OF MICROMETASTASIS  
OF MELANOMA AND BREAST  
CANCER IN PARAFFIN-EMBEDDED  
TUMOR DRAINING LYMPH NODES  
BY MULTIMARKER QUANTITATIVE  
RT-PCR

Art Unit: 1642

Examiner: Sean E. Aeder

I hereby certify that this correspondence  
is being transmitted via electronic filing  
on the date indicated below to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450, on

December 15, 2006

Date of Deposit

Vivian Gutierrez

Name

Signature

12/15/2006  
Date

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

1. ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

**§1.97(e) STATEMENT**

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☒ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.
3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

**§1.97(e) STATEMENT**

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☒ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).

4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. **A copy of this petition is enclosed.**
5. ☒ A list of 1 reference is in the enclosed Form PTO-1449.

**NON-ENGLISH LANGUAGE REFERENCES**

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references: N/A

Dated: December 15, 2006

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Respectfully submitted,  
HOGAN & HARTSON L.L.P.

By: 

Lawrence J. McClure  
Registration No. 44,228  
Attorney for Applicants

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| <b>FORM PTO-1449</b><br><br><b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION</b><br><br><i>(Use several sheets if necessary)</i> | <b>Docket Number (Optional)</b><br>89212.0014     | <b>Application Number</b><br>10/713,808 |
|  | <b>Applicant</b><br>Dave S.B. Hoon, <i>et al.</i> |   |
|  | <b>Filing Date</b><br>November 14, 2003           | <b>Group Art Unit</b><br>1642           |

| U.S. PATENT DOCUMENTS |                 |          |             |       |          |                               |
|-----------------------|-----------------|----------|-------------|-------|----------|-------------------------------|
| EXAMINER<br>INITIAL   | DOCUMENT NUMBER | DATE     | NAME        | CLASS | SUBCLASS | FILING DATE IF<br>APPROPRIATE |
|                       | 6,057,105       | 05/02/00 | Hoon et al. |       |          |                               |
|                       |                 |          |             |       |          |                               |
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| FOREIGN PATENT DOCUMENTS |                 |      |         |       |          |             |    |
|--------------------------|-----------------|------|---------|-------|----------|-------------|----|
|                          | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation |    |
|                          |                 |      |         |       |          | YES         | NO |
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| OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i> |  |
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| EXAMINER  | DATE CONSIDERED |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |                 |